LAST EDITION.

TOPEKA, KANSAS DECEMBER 16, 1907.

MONDAY EVENING.

TWO CENTS.

PAGES

NEEDS IT.

# ARE OFF FOR THE PACIFIC.

Big Fleet of Battleships Sails Out of the Harbor.

It Passes in Review Before President Roosevelt.

CRUISE OF 14,000 MILES

Many Went From Washington to See the Start.

Admirals Visit the President on the Mayflower.

HAND SHAKE FOR ALL

The Nation's Head Wishes Each Admiral Good Luck.

Pacific Coast Cities Celebrate the Great Event.

Old Point Comfort, Va., Dec. 16.-The backbone of the American navy, 16 first-class battleships, under of Rear Admiral Robley D. Evans, set sail today for the Pacific ocean-a 14,000 mile cruise which has set all the world to talking. Parading in review before vessels drew anchors from the rendezvous ground of Hampton Roads, steamed out of the famous old Virginia capes and were lost to view on the southern horizon, filmy, tell-tale columns of black smoke being the last visible vestige of the departing fleet.

At ten knots' speed they went, turning their backs on the coast which so long has been their home and headed for the eastern end of the West Indies. After threading their way among the reefs of those islands the fleet will bring up at Trinidad on Christmas evening—the first stage of its journey at

The belted sides of each armorciad were fairly struck today with the press of heavy stores and ammunition, while decks resounded with the footfalls of a decks resounded with the footfalls of a thousand men in quarters. On a mis-sion as pacific as the name of the waters it soon will be ploughing, the fleet was sent away prepared in every detail

for any duty.

President Roosevelt accompanied by a party of guests came down from Washington on the naval yacht Maywashington on the haval yacht Mayflower. His arrival in the roadstead
was signalized by a roar of salutes.
When the resulting veil of powder had
lifted from the ships the Mayflower
proceeded to anchor in the very center
of the throbbing fleet. There followed
a brief reception on board, the president having a forward message for the dent having a farewell message for the four rear admirals and the 16 command-ing officers, who are taking the ships through Magellan to San Francisco.

Led by Roosevelt. At the conclusion of the meeting on the Mayflower's quarterback, President Roosevelt shook each officer cordially by the hand and as they went over the side he bade them officially adieu. Then

There have been several presidential reviews of the Atlantic fleet during the past 18 months, but in those instances the great ships were lying docile at the end of spreading anchor chains, while the reviewing yacht passed up and down their lines. Today the fleet was under way, had cast off from the shore and was outward bound on a cruise, ed it. "No fleet of such size has ever before undertaken." The guns which had voiced a welcome to the president upon his arrival in Hampton Roads uttered a goodbye tribute as they passed the Mayflower outward bound. The salute of welcome had been paid in unitation of the fleet of ships well filled with them.

They were busy with iast chores of scrubbing and polishing. Changing and polishing. Changing is ships well filled with them.

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They were busy with iast chores of scrubbing and polishing. Changing is ships well filled with them.

They were busy with iast chores of scrubbing and polishing. Changing is characteristic fashion, the president would frequently say: "Did you ever see such a ships. And such a day. It ought to make us all feel proud."

Admiral Evans was first over the Mayflower proceeded to get under way almost at once, so as to sake her place at the head of the formidable column and lead the way to make us all feel proud."

Admiral Evans was first over the Mayflower is dead to will sake her place at the head of the formidable column and lead the way to make us all feel proud."

Admiral Evans was first over the Mayflower proceeded to get under way almost at once, so as to take her place at the head of the feet way almost at once, so as to to service from the divisional flags.

Admiral Evans was first over the Mayflower proud."

At elect hele of such a say to shape and white signal lights glowed at times from mastheads, ship commidate the way to under way almost at before undertaken." The guns which had voiced a welcome to the president upon his arrival in Hampton Roads uttered a goodbye tribute as they passed the Mayflower outward bound. The salute of welcome had been paid in the east, it seemed to hang for a time in the gateway of the Virginia Capes, through which the fleet was soon to pass, then mounted higher into the skies with the promised fulfillment of a perfect day the Mayflower outward bound. The sa-lute of welcome had been paid in unison, the farewell tribute was an indi-vidual offering from each one of the 16 ships. The fleet passed out in single column, the big government built Connecticut, flagship of Admiral Evans,





#### A TOAST TO OUR NAVY.

to talking. Parading in review before the president of the United States and as they sail today from Hampton Roads to the west on a voyage that may saluting as they went the stately white be as Admiral Evans says, "A feast, a frolic or a fight,"

and from the Connecticut to the Kentucky, which brought up the rear, the line reached a distance of more than four miles. In space of time there was the stretch of a decade between the 16,000 tons of the Connecticut to the little more than 11,000 of the Kentucky.

Five stages of American battleship construction were represented in the line and as an object lesson in the growth of the American navy the P. Potter.

growth of the American navy the spectacle found one of its most strik-

spectacle found one of its most striking features. A large number of yachts and excursion boats accompanied the fleet down the bay and gathered at the reviewing ground.

President Roosevelt's party on the Mayflower, included Mrs. Roosevelt, Miss Ethel Roosevelt, secretary of the navy and Mrs. Metcaif, the assistant secretary of the navy and Mrs. Metcaif, the Assistant secretary of the navy and Mrs. Newsberry, Rear Admiral W. H. Brownson, chief of the bureau of navigation and Mrs. Brownson and Rear Admiral and Mrs. Cowles, and Lleutenant Com-

Mrs. Brownson and Rear Admiral and Mrs. Cowles, and Lleutenant Com-mander and Mrs. Sims.

The navy dispatch boat Dolphin also came down from Washington with a party of congressmen on board to witness the review

Did Chores Early.

Did Chores Early.

The day of departure broke fair and cool, with an eight mile breeze biowing from just a little to the south west and ruffling the waters of the Roads into sparkling waves. At the time of the president's arrival, the brilliant sun had set the bright work and polished decks dancing in its

rays.

The immaculate white hulls of the big fighting machines gleamed splendently. Not a cloud flecked

splendently. Not a cloud flecked the side he bade them officially adieu. Then for a journey of nearly ten miles, the president, as commander-in-chief of the American army and navy, led the long list of battleships out into Chesapeake bay. They followed his flag to Thimble shoal light, just five miles inside the capes, where the Mayflower them blowing impatient whisties for for the formal review.

As a naval pageant, the review and departure of the fleet today was the most notable in American history. There have been several presidential

fillment of a perfect day.

At eight bells or 8 o'clock in the morning watch, the dressing lines were broken out on every battleship and the pretty little triangular signal flags gave a gala touch to the scene.

Make Up of the Fleet.

Line 4 Miles Long.

The vessels were 400 yards a part

Make Up of the Fleet.

The battleship fleet, with its commanding officers, is as follows:

Commander-in-chief, Rear Admiral



This diagram shows every state which is represented on the great cruise which Admiral Evans' fleet started on today. One-fourth of the states of the Union are represented by namesakes on the trip.

the P. Potter SECOND DIVISION. Rear Admiral William H.

ommander. Georgia, flagship, 14,948 tons. Captain Henry McCres Virginia, 14,948 tons. Captain Seaton

New Jersey, 14.948 tons. Captain William H. Sutherland. Rhode Island, 14.948 tons. Captain James B. Murdock SECOND SQUADRON, THIRD DIVIS-

ION. Rear Admiral C. M. Thomas, com nander. Alabama, 11,525 tons. Captain Samuel

TenEyck Verder.
\_ Illinois, 11,525 tons. Captain John M. Bowyer.

Kearsarge, 11,525 tons, Captain Ham-liton Hutchins. Kentucky, 11,525 tons, Captain W. C. FLEET AUXILIARIES.

Culgos, supply ship, 5,725 tons, Lieutenant Commander John B. Patton.
Glacier, supply ship, 7,000 tons, Commander William S. Hogg.
Panther, repair ship, 3,380 tons, Commander V. S. Nelson.
Varkton, tender 975 tons, Lieutenant

conversation for nearly five minutes, during which the admiral's head was dipping affirmative nods as though ac-

knowledging instructions.

During the reception the president sent for Seaman William Chandler, coxswain of the Louisiana's launch. and told him to convey to the men of the Louisiana his special greetings. The Louisiana is the ship on which the President and Mrs. Roosevelt made their return trip from Isthmus of Panama. The sailor was presented by the president to Mrs. Roosevelt and after the embarrassed coxswain aken his leave, the president "I tell you our enlisted men are thing. They are perfectly bully everything. and they are always up to everything required of them."

Each departing admiral and captain vas wished "the best of luck, old felow and goodby."

The fleet salled from its anchorage

shortly after 10 o'clock. There was not the slightest hitch in any detail of the carefully planned programme. As the Connecticut steamed past the crowded government pier at Old Point, the band on the quarter deck played "The Girl I Left Behind Me" and "Auld Lang Syne." There were great cheers from the shore and

SALUTE OF THE FLEET.

Fleet Fires Twenty-one Guns in Unison When President Appears.

Old Point Comfort, Va., Dec. 16.—The Mayflower swung around the water battery of Fortress Monroe and Into Hampton Roads shortly after 8 o'clock. The saluting guns of the army post were the first to signal the arrival of the president and his party. Twenty-the president Appears.

The flagships of each of the three divisions subordinate to the first, did not hoist their pennants until the last anchor chains of the immediate command were stowed. The beat of giant copper blade propellers churned the saluting guns of the army post to get under way.

The flagships of each of the three divisions subordinate to the first, did not hoist their pennants until the last anchor chains of the immediate command were stowed. The beat of giant correct.

"The defendant claims that in consequence of the allowance of the allowance of the allowance of the motion it should be awarded the cost of its proceeding in error in the supreme court of the United States. The petition for the writ of error and the assignments of error in that proceeding show that it was not undertaken upon the sole

nificance in today's ceremony. It was not a time simply to look pretty on parade, but coupled with it was a note of "goodbye and good luck," which they felt had a world of meaning to it. It was not until the Mayflower had nearly reached the Old Point pler that the president had his first view of the splendid fleet. On either side of a veritible marine bouleward the ships were disposed in two long lines, the flagships Connecticut and Minnesota, standing respectively at the head of the shore and outbound columns. Like players at some giant game of "London bridge," the twin battleships stood with figurative arms overclasped, waiting for the Mayflower to pass beneath and down the lane to meet the other ships which were paired on opposite sides and reached full two miles away.

Each ship was gally dressed from jackstaff to flag post, the long lines of varicolored bits of signal bunting fluttering in the early morning breeze first in an almost perpendicular rise from

tering in the early morning breeze first in an almost perpendicular rise from the stem to the signal yards surmounting the fore fighting top then reaching straight back to the after top and down again to the stern rail of the quarter deck. Black smoke pouring from every funnel indicated that the

Connecticut Leads the Firing. The Connecticut, flying the flag of to speak to the president. Her starboard and port saluting guns began
alternatively to proclaim their respect
and duty to the nation's chief. Following the motion of the flagship, as
it is expressed in the navy, the other
ships took up the firing and in less
than two minutes 336 guns had
boomed. A play at mimic warfare by
the finest fleet the American navy has
ever boasted could not have produced a
more spectacular effect. The smoke
of battle for a time enveloped the fleet
have secured a reversal of the court made a mistake. In
drafting a journal entry of judgment,
the court was made to decide a certain
point which has been withdrawn from
the consideration of the court after
the case was filed.
On this palpable legal error, the defeated party in the lawsuit promptly
appealed to the supreme court of the
United States, and would certainly
have secured a reversal of the case on of battle for a time enveloped the fleet and the smell of gunpowder, filled the air. Again without formal recognition of the honors bestowed, the Mayflower entered the warship lane and proceeding slowly to a point about midway of the assembled fleet let go her anchors and swung around partly, to face the flow of the ebbing tide.

No sooner had she done so than the torpedo launch of the Connecticut

with Admiral Evans and his staff on board, was darting swiftly to her side. Making the after gangway, the of-ficers, in all the regalia of special full dress uniform, repaired on board the yacht to pay their respects to the president. He received them on the quarter deck and the exchange of greetings was more hearty than for-

Following the Connecticut's lead, the launches from all of the other ships were soon swarming about the Mayflower. From the Minnesota came the steam barge of Rear Admiral C. M. Thomas, commander of the second M. Thomas, commander of the second squadron, from the Georgia, there was the barge of Rear Admiral William H. E. Morey, commander of the second division and from the Alabama came Rear Admiral C. S. Speery, commanding the fourth division. Each admiral the second part of the secon was accompanied by his staff. The captains commanding the 16 ships followed the flag officers to the Mayniower and with their arrival the reception reached its climax.

The last goodbye ceremonies were few and within half an hour after Ad-miral Evans had first stepped upon the quarterdeck of the yacht all of the offiduarterdeck of the yacht and of the order cers were once more in their dancing launches, returning to their ships. The last goodbyes had been said, the presi-dent's last wishes of good luck had been uttered.

Mander V. S. Nelson.

Yankton, tender, 975 tons, Lieutenant
Walter R. Gherardi.

The president received all the admirals and captains on heard the

erything was in cruising trim now and the time for play was past. With the departure of the fleet offi-

running boats and storing them snug-ly in their berths high up in the super-structure and safe from the crashing boom of storm waves to be encounboats and storing them snug-

tered on the trip.
Anchors Are Lifted. Next from the ships can'te the whir and hiss of steam driven windlass and the grinding crank of lifting anchor chains whose massive links were bent of six inch steel. Sixty fathoms of chain had been laid out on each ship.
This is ten times the depth of the Roadstead channel, but necessary to keep the vessels free from fouling in the swinging currents of the tide. With the command "heave 'er up," the work of raising anchor had begun almost simultaneously on each of the sixteen ships. Stripping them of all

sixteen ships. Stripping them of an sand and harbor mud as they rose from the surface.

The Connecticut, head of the column and the other ships of the first division, the Kansas, the Vermont, and the Louisiana, were the first to get their anchors folded on the bows. Then come for each navigator and captain came for each navigator and captain a bit of difficult maneuvering at close quarters. The sweep of the ebbing tide had turned every ship's stem to the west and it was necessary to swing each vessel around to take position for the eastern start to the capes. One by one, the other armor clads posted their position pennants to the fore truck, signifying that they were ready

Supreme Court Decides It Can Correct Mistake.

One That Resulted in Appeal of Big Case.

ERROR OF A CLERK.

Neglected to Notice That Part of Action Was Withdrawn.

Railroad Controversy That Is Awaited With Interest.

When a great and powerful body engineers' forces were building up like the supreme court of a state steam for the first step in the memor-makes a mistake, it finds it hard work

Rear Admiral Evans, commander-in-chief of the expedition was the first to speak to the president. Her star-

Larabee Mills because the mills had violated some of the car service association rules. The mills asked the supreme court for a writ of mandamus to compel the railroad company to had taken testimony, the Larabee Mills filed with the court a document

"The plaintiff respectfully with-draws from the consideration of the court that part of its application for

speak the truth after the lapse of the term, after the proceedings in error to review judgment have been instituted in the supreme court of the tuted in the supreme court of the United States, and notwithstanding a supersedeas bond has been filed. "2. Such corrections may be made on the motion of an interested party or on the court's own motion ever the mistakes are brought to its

In commenting on the case, the opinion of the court says:
"It is the dut of the clerk to enter judgments of the court upon the rec-ord. The court does not formulate them. In this instance the only specific direction given as that a per-emptory rit should issue. In making up the record, the clerk inadvertantly passed over the finding passed over the findings of fact, the plaintiff's withdrawal and the opinion of the court as guides, and followed the petition and the alternative writ. Consequently a mistake was made, and matters not a part of the judgment were written into the record as

"The fact that a proceeding is now ending in the Supreme court of the United States to review the judgment does not deprive this court of its power to expunge from its records the mistakes of its recording officer. The conduct of the court itself is not a subject of modification. The only purpose of this motion is that the conduct of the court may be truthfully ex-hibited, and it may be surmised that

service to the plaintiff upon demand self by setting and upon the payment of the hereto-ing them burn. fore customary charges therefore."
"The determination of the court was that the defendant should serve

the plaintiff as it does all other industries located at Stafford. The recor

the president and his party. Twentyone times the cannon overlooking the
pleturesque Moat of this famous old
army stronghold, voiced their notes of
welcome. The white naval yacht kept
sliently on her way, accepting the salute as her due and as requiring no
outward form of recognition.

Aboard the 16 warships, at anchor a
mile further up the Roads bugles had
already begun to summon officers and
crews to quarters. Most of the men
the supproses of this cruise full
speed already begun to summon officers and
crews to quarters. Most of the men
they maneuvered to

Full Speed Ahead.

When at last all sixteen ships were
in position, in single column "natural
order and distance" 400 yards apart,
the engine room indicators, far down
in the depths of the steel protected
decks, showed "full speed ahead."
For the purposes of this cruise full
speed means an easy pace of 10 knots
an hour and it was on this basis that
the writ of the writ of the steel undertaken upon the sole
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of error in that proceeding show that
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party on account of this proceeding."
It is one of those mistakes which seems to be directly blameable to no The court merely ordered the to issue a peremptory writ. one. The court incrementary writ. The clerk to issue a peremptory writ. The clerk, in accordance with custom in such cases, issued the peremptory writ as prayed for in the alternative writ. The subsequent amendment of the plaintiff's petition was overlooked.

### FOUR RED HATS.

The Pope Creates New Cardinals as Secret Consistory.

Rome, Dec. 16.—Pius X today held a secret consistory in the vatican in which he created four new cardinals and preconcised several bishops.

The new cardinals are: Monsignor Pietro Gasparri, secretary of the congregation of extraordinary ecclesiastical affairs; Monsignor De Lai, secretary of the congregation of the council, Monsignor Ludovico Henry Lucon, archibishop of Rheims, and Monsignor Paul Pierre Andrieu, archbishop of Marseillas.

When a great and powerful body like the supreme court of a state makes a mistake, it finds it hard work to back up.

The supreme court of Kansas made a mistake. Or possibly it would be more accurate to say that one of the clerks of the court made a mistake. In drafting a journal entry of judgment, the court was made to decide a certain point which has been withdrawn from the consideration of the court after the case was filed.

On this palpable legal error, the defeated party in the lawsuit prompt appealed to the supreme court of the United States, and would certainly have secured a reversal of the case on like error.

Take the court can correct its own mistake after the decided that it could. Case is that of the Larabee Plour Mills vs. the Missouri Pacific railway. It is an important case, and one which railroad men all over the country are watching, because it insociations to dictate rules to the railroads of the country. The Missouri Pacific relieved to furnish cars to distance while a company to come which railroad men all over the Carloit country are watching, because it insociations to dictate rules to the railroads of the country are watching, because it insociations to dictate rules to the railroads of the country are watching, because it insociations to dictate rules to the railroad company in the country are watching, because the mills had come which railroad men all over the Carloit country are watching, because the mills had come which railroad men all over the manufacture of the Carloit country are watching, because the mills had completed to furnish cars to distance and the proposition of the furnish cars. After a commissiones the mills had completed to furnish cars of the country are watching as follows:

"The pipe delivered an allocution in which has been attacked from all isdes in a warfare open or dissimulated the case was fied.

On this palpable legal error, the defeated party in the leavest proposition of the case on the case of the case on the case of the case on the case of the case on the

### ONLY TWO CLOSED.

## LAST BANK OPENS.

All Those Carried Down by the Com

of the National Bank of Commerce, reopened for business this morning.

All the small banks carried down by the National bank's failure have now

Bootblacks were classed with the been rehabilitated.

their report will depend whether the bank shall be reopened or liquidated. George E. Cutts of New York, one of the examiners, will probably take charge of the bank as receiver in a few days succeeding James T. Bradley of Kansas. Checks on the suspended of Kansas. Checks on the suspended bank are accepted at par by many houses and the financial situation has been mitigated thereby.

#### HAD MONEY TO BURN.

John Gordon Burned \$10,000 of It and Died.

of the court may be truthfully exhibited, and it may be surmised that the reviewing court has little concern for matters which were not adjudicated.

"Upon examination of the cierk's entry the court discovers that it contains matter not in accord with the judgment to which the motion does not refer. The alternative writ commanded that the defendant resume its service to the plaintiff 'upon demand and upon the payment of the heretoning them burn. He succumbed to heart ing them burn. He succumbed to heart He succumbed to heart ase soon afterward.

the Manhattan opera house. The withdrawal of Mme Nordica, it is said, was close everything except the police st brought about by a request of Mr. Hammerstein that she sing at a series of operas at popular prices, which was regarded by the singer as a move to reduce her from her contract.

Found Dead in His Bath Tub.

St. Louis, Mo., Dec. 16.—L. F. Parker, general solicitor of the St. Louis & San Francisco road, was found & San Francisco road, was found died here Sunday after an illness two years.

Topeka Has Its First "Blue"

Sunday Experience.

Another Exception Was Made by the Police.

"SHINE PARLORS" OPEN

Bootblacks Did a Land Office Business.

The Theaters Were All Open as Usual.

Acting on the strict orders of Mayor William Green yesterday, Chief of Po-

court that part of its application for the defendant to issue certain bills of lading, leaving as the one issue to be tried the resumption of switching service by the defendant over the transfer track of the plaintiff."

In entering the judgment of the court, however, the clerk drew the judgment to correspond with the original alternative writ, overlooking the withdrawal of certain matters mentioned in the application. Balles our Pacific, quickly perceived the error, and filed an appeal with the United States supreme court.

Then the Larabee mills filed a motion with the court to correct the ground out from under the feet of the Missouri Pacific appeal.

This motion to correct judgment was argued in the supreme court on December 2, and today the gupreme court decided that it had authority to make the correction. The syllabus of the court says:

make the correction. The syllabus of pulpit in which he scored the police the warm rays of the sun puts the fog the court says:

"I. Clerical mistakes in the record of a judgment rendered in an original proceeding in this court may be corrected to the end that the record may

IACT DANK ODENC

The warm rays of the shit puts the log commissioners for refusing to instruct to rout. This was typical of the contract the police to co-operate with him in the Sunday closing movement.

Sunday that Topeka has wrestled with the "lid" in earnest for many years. So far as known, however, there was no great inconvenience to the hotel patrons. These of them who considered a smoke, a "chew" or a drink as an absolute necessity were able to borrow. merce, Now Doing Business.

Kansas City, Dec. 16.—The Union Avenue Bank of Commerce, which was obliged to close by the suspension of the National Bank of Commerce, without any trouble the afformation of the National Bank of Commerce, which was obliged to close by the suspension of the National Bank of Commerce, without any trouble the afformation was the commerce of the National Bank of Commerce. without any trouble the aforesaid user

ing. Bootblacks were classed with the theaters Sunday and the shiners had all their places open all day. The theaters were also open all day and the Hobart, at Tenth and Topeka avenues. He was open an hour or so in both the forenoon and afternoon, but so far as reported nothing was sold there but medicines and such things as were not contraband. Sunday newspapers were sold, as was milk, the mayor telling the police to exempt these articles from the

prohibitory list of wares, as they were necessities.

One grocery store was said to have opened in North Topeka early Sunday opened in North Topeka early Sunday morning, but the proprietor, when warned by the police promptly shut his doors and went home, mumbling, for all any one knows, "I would not live always. I ask not to stay," etc." The mayor was called up frequently over the closing deal. The mayor has been asked for so many interpretations of the closing ordinance that he would doubtless be glad now if some one would change the question to "How old was Ann?" or something relatively was Ann?" or something relatively

Meantime, those who were crosed all day appeared at their business houses this morning with smiling faces and looking as fresh as prairie NOT FOR NORDICA.

She Refuses to Sing for Hammerstein at Popular Prices.

New York, Dec. 16.—Oscar Hammerstein announced last night that at the request of Mme. Nordica he had canceled his contract with her and in the future she would not be connected with the Manhattan opera house. The withdrawal of Mme. Nordica, it is said, was

> Weather Indications. Chicago, Dec. 16.—Forecast for Kansas: Probably rain or snow to-night and Tuesday,